

Introduced by Senator Campbell

February 16, 2005

An act to add Section 5003.19 to the Public Resources Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 306, as introduced, Campbell. Property transactions: Sunset Ridge Park.

Existing law authorizes the Department of Parks and Recreation to lease, for any use, all or any portion of any parcel of real property acquired for the state park system, if the director makes specified findings, and the rent is based on the fair market value of the property when used for the purpose for which it is leased. Existing law prohibits the term of a lease from exceeding a period of 10 years, unless the Legislature has reviewed and approved the proposed lease as part of the annual budget process, or the State Public Works Board has determined that the proposed lease could not have been presented to the Legislature for review and approval, as provided.

This bill would, notwithstanding those provisions, authorize the Department of Parks and Recreation to lease an unspecified number of acres known as Sunset Ridge Park to the City of Newport Beach for a term of 25 years without monetary consideration for use of the property for the development and operation of a local park with regional benefits, as specified. The bill would require the State Public Works Board to review and approve the lease.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 5003.19 is added to the Public Resources Code, to read:

5003.19. (a) The director may lease to the City of Newport Beach a parcel, not to exceed ____ acres of unimproved real property situated in the City of Newport Beach, known as Sunset Ridge Park.

(b) Notwithstanding subdivisions (b) and (c) of Section 5003.17, the term of the lease shall be for a period not to exceed 25 years and shall be without monetary consideration for use of the property, except that the city shall fund the development and operation of the park. The terms of the lease shall specify the nature of the city's control of, and responsibility for the operation of, the parcel.

(c) The purpose of the lease shall be for the development and operation by the city of a local park with regional benefits containing and providing organized sports facilities that will primarily serve the youth of the Newport Beach region.

(d) If the department determines that the city has failed to develop a local park with regional benefits containing and providing organized sports facilities within five years of execution of the lease, the state shall have the right to terminate the lease.

(e) Notwithstanding subdivision (d) of Section 5003.17, the State Public Works Board shall review and approve the lease, and shall report any action taken to the Legislature and the Governor.

(f) Upon one year's written notice from the city and upon the state's written consent as granted pursuant to the state's sole discretion, the lease may be extended for an additional 25 years commencing on the first calendar day after the date set for expiration of the lease. In exercising its discretion to extend the term of the lease, the state may modify, add, or delete terms and conditions of the lease, including a requirement for monetary consideration for use of the property, as the state may determine to be in the best interest of the state. Pursuant to subdivision (d) of Section 5003.17, the Legislature shall review and approve any extension of the lease.

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